

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

JOSEPH W. HIGGINS

Plaintiff,

v.

EBAY, INC., and PAYPAL, INC.,

Defendants.

Civ. Action No. 09-5341 (KSH)

ORDER

KATHARINE S. HAYDEN, U.S.D.J.

This matter having come before the Court by way of a motion to dismiss by defendants eBay, Inc., and PayPal, Inc., [D.E. 21]; and the Court having previously issued an order requiring the parties to show cause why this matter should or should not be dismissed for lack of subject matter jurisdiction [D.E. 45]; and the Court having considered the parties' arguments and written submissions, and for the reasons stated in the Court's Opinion filed herewith,

IT IS on this 31st day of March, 2011,

ORDERED that the complaint is **dismissed** for lack of subject matter jurisdiction.

/s/ Katharine S. Hayden
Katharine S. Hayden, U.S.D.J.